REMARKS

In the final Office Action, the Examiner rejected claims 1, 5, 9, 10, 15-27, 38-42, 61, 66-70, and 74 under 35 U.S.C. § 103(a) as unpatentable over D'Amico et al. (U.S. Patent No. 5,579,379) in view of Thomas (U.S. Patent No. 6,751,625); rejected claim 4 under 35 U.S.C. § 103(a) as unpatentable over D'Amico et al. in view of Thomas and Jobst et al. (U.S. Patent No. 6,707,915); rejected claims 2, 3, 6-8, 11-14, 28, 29, 31, 32, 36, 37, 62-64, 71, and 72 under 35 U.S.C. § 103(a) as unpatentable over D'Amico et al. in view of Thomas and McConnell et al. (U.S. Patent Application Publication No. US2003/0074313); rejected claims 30 and 33 under 35 U.S.C. § 103(a) as unpatentable over D'Amico et al. in view of Thomas, McConnell et al., and Fletcher et al. (U.S. Statutory Invention Registration No. H1,897); rejected claims 43, 44, 47-60, and 73 under 35 U.S.C. § 103(a) as unpatentable over D'Amico et al. in view of Thomas and Hluchyj et al. (U.S. Patent No. 6,282,193); and rejected claims 45 and 46 under 35 U.S.C. § 103(a) as unpatentable over D'Amico et al. in view of Thomas, Hluchyj et al., and McConnell et al.

By this Amendment, Applicants propose amending claims 1, 4, 27, 28, 31, 43, 61, and 66 to improve form, canceling claims 69-74 without prejudice or disclaimer, and adding new claims 75-80. Applicants respectfully traverse the Examiner's rejections with regard to the claims as amended herein. Claims 1-64, 66-68, and 75-80 are pending after entry of this amendment.

Initially, Applicants note that the Examiner did not reject claims 34 and 35, but also did not identify claims 34 and 35 as allowable. Applicants, therefore, request that the Examiner clarify the status of claims 34 and 35.

In paragraph 2 of the final Office Action, the Examiner rejected claims 1, 5, 9, 10, 15-27, 38-42, 61, 66-70, and 74 under 35 U.S.C. § 103(a) as allegedly unpatentable over D'Amico et al. in view of Thomas. Claims 69, 70, and 74 were canceled via this amendment, thereby obviating the rejection of these claims. Applicants respectfully traverse the rejection with regard to the pending claims.

Amended independent claim 1, for example, is directed to a method for placing a call between a first client and a second client. The method comprises receiving a call request message; challenging a device that originated the call request message to authenticate itself, whereby the device generates an authentication result as a result of authenticating itself; authenticating the call request message based on the authentication result, whereby an authentic originating client is identified; and searching a database to find a predetermined client billing tag corresponding to the authentic originating client, whereby the call is authorized to be completed if the client billing tag is obtained, and the call is not authorized to be completed if the client billing tag is not obtained.

Neither D'Amico et al. nor Thomas, whether taken alone or in any reasonable combination, discloses or suggests the combination of features recited in amended claim 1. For example, neither D'Amico et al. nor Thomas discloses or suggests challenging a device that originated a call request message to authenticate itself, whereby the device generates an authentication result as a result of authenticating itself.

The Examiner alleged that Thomas discloses challenging a device that originated a call by requesting the device to authenticate itself and identified Figure 3, column 4, line 25 to

column 7, line 67 of Thomas for support (final Office Action, page 2). Applicants respectfully disagree.

In the section identified by the Examiner, Thomas discloses that a user enters a telephone number for a call to a called party into terminal 205 and, in response, terminal 205 transmits call related information, such as end user authorization information and authentication information to support a determination of whether the user is authorized to complete an Internet telephony call via proxy server 210, to proxy server 210 (col. 5, lines 19-27). Proxy server 210 performs a user validation task and, based on validation of the user, transmits an authorization request to service point 215 (col. 5, lines 28-30). Nowhere in this section, or elsewhere, does Thomas disclose or suggest challenging a device that originated a call request message to authenticate itself, whereby the device generates an authentication result as a result of authenticating itself, as required by claim 1. For example, Thomas does not disclose or suggest that either the end user authorization information or the authentication information is generated as a result of terminal 205 authenticating itself, as would be required by claim 1.

Because neither D'Amico et al. nor Thomas discloses challenging a device that originated a call request message to authenticate itself, whereby the device generates an authentication result as a result of authenticating itself, D'Amico et al. and Thomas cannot disclose or suggest authenticating a call request message based on the authentication result, whereby an authentic originating client is identified, as further recited in claim 1.

For at least these reasons, Applicants submit that claim 1 is patentable over D'Amico et al. and Thomas, whether taken alone or in any reasonable combination. Claims 5, 9, 10, and 15-26 depend from claim 1 and are, therefore, patentable over D'Amico et al. for at least the reasons

given with regard to claim 1. Claims 5, 9, 10, and 15-26 are also patentable for reasons of their own.

For example, claim 15 recites adding a header to the call request message, where the header includes a server identifier; and transmitting the call request message to a gateway, where the gateway is configured to complete the call if the header is detected and not complete the call if the header is not detected. Neither D'Amico et al. nor Thomas, whether taken alone or in any reasonable combination, discloses or suggests the combination of features recited in claim 15. For example, neither D'Amico et al. nor Thomas discloses or suggests adding a header to a call request message, where the header includes a server identifier.

The Examiner admitted that D'Amico et al. does not disclose this feature, but alleged that Thomas does and identified Figure 3 and column 4, line 25 to column 7, line 67 of Thomas for support (final Office Action, page 3). Applicants respectfully disagree.

In the section identified by the Examiner, Thomas discloses that proxy server 210 initiates a set-up request to a selected terminating gateway 225, where the set-up request includes a call identifier, an authorization token, and a called number (col. 5, lines 61-66). Thomas discloses that the call identifier and the called number support a secure identification of proxy server 210 as an authorized user of the clearinghouse service maintained by service point 215 (col. 5, lines 32-36) and that the authorization token corresponds to the selected terminating gateway 225 (col. 5, lines 44-48). Nowhere in this section, or elsewhere, does Thomas disclose or suggest adding a header that includes a server identifier to a received call request message, as required by claim 15.

Because Thomas does not disclose adding a header to a call request message, Thomas cannot disclose or suggest transmitting the call request message to a gateway, where the gateway is configured to complete the call if the header is detected and not complete the call if the header is not detected, as further recited in claim 15. Instead, Thomas discloses that gateway 225 determines whether to accept completion of a call based on the set-up information, including the call identifier, the authorization token, and the called number (col. 5, lines 63-66). None of this information is equivalent to a header, which includes a server identifier, that is added to a received call request message.

For at least these additional reasons, Applicants submit that claim 15 is patentable over D'Amico et al. and Thomas, whether taken alone or in any reasonable combination.

Claim 16 recites checking the call request message for the presence of a header, where the header includes a server identifier; and completing the call if the header is detected. Neither D'Amico et al. nor Thomas, whether taken alone or in any reasonable combination, discloses or suggests the combination of features recited in claim 16. For example, neither D'Amico et al. nor Thomas discloses or suggests checking a call request message for the presence of a header, where the header includes a server identifier.

The Examiner did not specifically address this feature. Instead, the Examiner admitted that D'Amico et al. does not disclose features of adding a header to a call request message, where the header includes a server identifier and alleged that Thomas discloses these features and identified Figure 3 and column 4, line 25 to column 7, line 67 of Thomas for support (final Office Action, page 3).

In the section identified by the Examiner, Thomas discloses that proxy server 210 initiates a set-up request to a selected terminating gateway 225, where the set-up request includes a call identifier, an authorization token, and a called number (col. 5, lines 61-66). Thomas discloses that the call identifier and the called number support a secure identification of proxy server 210 as an authorized user of the clearinghouse service maintained by service point 215 (col. 5, lines 32-36) and that the authorization token corresponds to the selected terminating gateway 225 (col. 5, lines 44-48). Nowhere in this section, or elsewhere, does Thomas disclose or suggest checking a call request message for the presence of a header, where the header includes a server identifier, as required by claim 16.

Because Thomas does not disclose checking a call request message for the presence of a header, Thomas cannot disclose or suggest completing the call if the header is detected, as further recited in claim 16. Instead, Thomas discloses that gateway 225 determines whether to accept completion of a call based on the set-up information, including the call identifier, the authorization token, and the called number (col. 5, lines 63-66). None of this information is equivalent to a header, which includes a server identifier, that is part of a received call request message.

For at least these additional reasons, Applicants submit that claim 16 is patentable over D'Amico et al. and Thomas, whether taken alone or in any reasonable combination.

Amended independent claim 27 recites features similar to features recited in claim 1. Claim 27 is, therefore, patentable over D'Amico et al. and Thomas, whether taken alone or in any reasonable combination, for reasons similar to reasons given with regard to claim 1.

Independent claim 38 recites features similar to features recited in claim 15. Claim 38 is, therefore, patentable over D'Amico et al. and Thomas, whether taken alone or in any reasonable combination, for reasons similar to reasons given with regard to claim 15. Claim 39 depends from claim 38 and is, therefore, patentable over D'Amico et al. and Thomas for at least the reasons given with regard to claim 38.

Independent claim 40 recites features similar to features recited in claim 16. Claim 40 is, therefore, patentable over D'Amico et al. and Thomas, whether taken alone or in any reasonable combination, for reasons similar to reasons given with regard to claim 16. Claims 41 and 42 depend from claim 40 and are, therefore, patentable over D'Amico et al. and Thomas for at least the reasons given with regard to claim 40.

Amended independent claim 61 is directed to a server system for placing a call between a first client and a second client. The server system comprises a database configured to store at least one client billing tag and a processor coupled to the database. The processor is programmed to challenge a device that originated the call by requesting the device to authenticate itself, whereby the device generates an authentication result as a result of authenticating itself; process a call request message to identify an authentic originating client based on the authentication result; and search the database to find the client billing tag corresponding to the authentic originating client, whereby the server system allows the call to be completed if the client billing tag is obtained, and does not allow the call to be completed if the client billing tag cannot be obtained.

Neither D'Amico et al. nor Thomas, whether taken alone or in any reasonable combination, discloses or suggests the combination of features recited in amended claim 61. For

example, neither D'Amico et al. nor Thomas discloses or suggests a processor programmed to challenge a device that originated a call by requesting the device to authenticate itself, whereby the device generates an authentication result as a result of authenticating itself.

The Examiner alleged that Thomas discloses challenging a device that originated a call by requesting the device to authenticate itself and identified Figure 3, column 4, line 25 to column 7, line 67 of Thomas for support (final Office Action, page 2). Applicants respectfully disagree.

In the section identified by the Examiner, Thomas discloses that a user enters a telephone number for a call to a called party into terminal 205 and, in response, terminal 205 transmits call related information, such as end user authorization information and authentication information to support a determination of whether the user is authorized to complete an Internet telephony call via proxy server 210, to proxy server 210 (col. 5, lines 19-27). Proxy server 210 performs a user validation task and, based on validation of the user, transmits an authorization request to service point 215 (col. 5, lines 28-30). Nowhere in this section, or elsewhere, does Thomas disclose or suggest a processor programmed to challenge a device that originated the call by requesting the device to authenticate itself, whereby the device generates an authentication result as a result of authenticating itself, as required by claim 61. For example, Thomas does not disclose or suggest that either the end user authorization information or the authentication information is generated as a result of terminal 205 authenticating itself, as would be required by claim 61.

Because neither D'Amico et al. nor Thomas discloses a processor programmed to challenge a device that originated the call by requesting the device to authenticate itself, whereby the device generates an authentication result as a result of authenticating itself, D'Amico et al.

and Thomas cannot disclose or suggest a processor programmed to process a call request message to identify an authentic originating client based on the authentication result, as further recited in claim 61.

For at least these reasons, Applicants submit that claim 61 is patentable over D'Amico et al. and Thomas, whether taken alone or in any reasonable combination.

Independent claim 66 recites features similar to features recited in claim 16. Claim 66 is, therefore, patentable over D'Amico et al. and Thomas, whether taken alone or in any reasonable combination, for reasons similar to reasons given with regard to claim 16. Claims 67 and 68 depend from claim 66 and are, therefore, patentable over D'Amico et al. and Thomas for at least the reasons given with regard to claim 66.

In paragraph 3 of the final Office Action, the Examiner rejected claim 4 under 35 U.S.C. § 103(a) as allegedly unpatentable over D'Amico et al. in view of Thomas and Jobst et al. Applicants respectfully traverse the rejection.

Claim 4 depends from claim 1. Without acquiescing in the Examiner's rejection, Applicants submit that the disclosure of Jobst et al. does not cure the deficiencies in the disclosures of D'Amico et al. and Thomas identified above with regard to claim 1. Therefore, claim 4 is patentable over D'Amico et al., Thomas, and Jobst et al., whether taken alone or in any reasonable combination, for at least the reasons given with regard to claim 1.

In paragraph 4 of the final Office Action, the Examiner rejected claims 2, 3, 6, 8, 11-14, 28, 29, 31, 32, 36, 37, 62-64, 71, and 72 under 35 U.S.C. § 103(a) as allegedly unpatentable over D'Amico et al. in view of Thomas and McConnell et al. Claims 71 and 72 were canceled via

this amendment, thereby obviating the rejection of these claims. Applicants respectfully traverse the rejection with regard to the pending claims.

Claims 2, 3, 6, 8, and 11-14 depend from claim 1. Without acquiescing in the Examiner's rejection, Applicants submit that the disclosure of McConnell et al. does not cure the deficiencies in the disclosures of D'Amico et al. and Thomas identified above with regard to claim 1. Therefore, claims 2, 3, 6, 8, and 11-14 are patentable over D'Amico et al., Thomas, and McConnell et al., whether taken alone or in any reasonable combination, for at least the reasons given with regard to claim 1.

Amended independent claim 28 recites features similar to features recited in claim 1. The disclosure of McConnell et al. does not cure the deficiencies in the disclosures of D'Amico et al. and Thomas identified above with regard to claim 1. Therefore, claim 28 is patentable over D'Amico et al., Thomas, and McConnell et al., whether taken alone or in any reasonable combination, for reasons similar to reasons given with regard to claim 1. Claim 29 depends from claim 28 and is, therefore, patentable over D'Amico et al., Thomas, and McConnell et al. for at least the reasons given with regard to claim 28.

Amended independent claim 31 is directed to a computer readable medium having computer executable instructions for performing a method for placing a call between a first client and a second client. The method comprises receiving a SIP call request message from the first client; challenging a device that originated the SIP call request message to authenticate itself, whereby the device generates an authentication result as a result of authenticating itself; evaluating at least one calling feature in a profile of the second client; determining an authentic originating client based on the at least one calling feature and the authentication result; retrieving

the client billing tag corresponding to the authentic originating client; and inserting the client billing tag into the SIP call request message.

Neither D'Amico et al., Thomas, nor McConnell et al., whether taken alone or in any reasonable combination, discloses or suggests the combination of features recited in claim 31. For example, as explained above with regard to claim 1, D'Amico et al. and Thomas do not disclose or suggest challenging a device that originated a call request message to authenticate itself, whereby the device generates an authentication result as a result of authenticating itself. The disclosure of McConnell et al. does not cure this deficiency in the disclosures of D'Amico et al. and Thomas.

Because neither D'Amico et al., Thomas, nor McConnell et al. discloses or suggests challenging a device that originated a call request message to authenticate itself, whereby the device generates an authentication result as a result of authenticating itself, D'Amico et al., Thomas, and McConnell et al. cannot disclose or suggest determining an authentic originating client based on the at least one calling feature and the authentication result, as further recited in claim 31.

For at least these reasons, Applicants submit that claim 31 is patentable over D'Amico et al., Thomas, and McConnell et al., whether taken alone or in any reasonable combination. Claims 32, 36, and 37 depend from claim 31 and are, therefore, patentable over D'Amico et al., Thomas, and McConnell et al. for at least the reasons given with regard to claim 31.

Claims 62-64 depend from claim 61. Without acquiescing in the Examiner's rejection, Applicants submit that the disclosure of McConnell et al. does not cure the deficiencies in the disclosures of D'Amico et al. and Thomas identified above with regard to claim 61. Therefore,

claims 62-64 are patentable over D'Amico et al., Thomas, and McConnell et al., whether taken alone or in any reasonable combination, for at least the reasons given with regard to claim 61. Claims 62-64 are also patentable for reasons of their own.

For example, claim 64 recites features similar to features recited in claim 15. The disclosure of McConnell et al. does not cure the deficiencies in the disclosures of D'Amico et al. and Thomas identified above with regard to claim 15. Therefore, claim 64 is patentable over D'Amico et al., Thomas, and McConnell et al., whether taken alone or in any reasonable combination, for reasons similar to reasons given with regard to claim 15.

In paragraph 5 of the final Office Action, the Examiner rejected claims 30 and 33 under 35 U.S.C. § 103(a) as allegedly unpatentable over D'Amico et al. in view of Thomas, McConnell et al., and Fletcher et al. Applicants respectfully traverse the rejection.

Claims 30 and 33 depend from claims 28 and 31, respectively. Without acquiescing in the Examiner's rejection, Applicants submit that the disclosure of Fletcher et al. does not cure the deficiencies in the disclosures of D'Amico et al., Thomas, and McConnell et al. identified above with regard to claims 28 and 31. Therefore, claims 30 and 33 are patentable over D'Amico et al., Thomas, McConnell et al., and Fletcher et al., whether taken alone or in any reasonable combination, for at least the reasons given with regard to claims 28 and 31.

In paragraph 6 of the final Office Action, the Examiner rejected claims 43, 44, 47-60, and 73 under 35 U.S.C. § 103(a) as allegedly unpatentable over D'Amico et al. in view of Thomas and Hluchyj et al. Claim 73 was canceled via this amendment, thereby obviating the rejection of this claim. Applicants respectfully traverse the rejection with regard to the pending claims.

Amended independent claim 43 recites features similar to features recited in claim 61. The disclosure of Hluchyj et al. does not cure the deficiencies in the disclosures of D'Amico et al. and Thomas identified above with regard to claim 61. Claim 43 is, therefore, patentable over D'Amico et al., Thomas, and Hluchyj et al., whether taken alone or in any reasonable combination, for reasons similar to reasons given with regard to claim 61. Claims 44 and 47-60 depend from claim 43 and are, therefore, patentable over D'Amico et al., Thomas, and Hluchyj et al. for at least the reasons given with regard to claim 61.

In paragraph 7 of the final Office Action, the Examiner rejected claims 45 and 46 under 35 U.S.C. § 103(a) as allegedly unpatentable over D'Amico et al. in view of Thomas, Hluchyj et al., and McConnell et al. Applicants respectfully traverse the rejection.

Claims 45 and 46 depend from claim 43. Without acquiescing in the Examiner's rejection, Applicants submit that the disclosure of McConnell et al. does not cure the deficiencies in the disclosures of D'Amico et al., Thomas, and Hluchyj et al. identified above with regard to claim 43. Therefore, claims 45 and 46 are patentable over D'Amico et al., Thomas, Hluchyj et al., and McConnell et al., whether taken alone or in any reasonable combination, for at least the reasons given with regard to claim 43.

New claims 75-80 recite receiving a user name and the authentication result from the device, determining a password that corresponds to the user name, performing a hash function based on the user name and password, and determining whether a result of the hash function matches the authentication result. None of the references of record, whether taken alone or in any reasonable combination, discloses or suggests these features. Further, claims 75-80 variously depend from independent claims that are neither disclosed nor suggested by the

references of record. For at least these reasons, Applicants submit that claims 75-80 are patentable over the references of record.

In view of the foregoing amendments and remarks, Applicants respectfully request the Examiner's reconsideration of the application and the timely allowance of pending claims 1-64, 66-68, and 75-80.

Applicants respectfully request that this Amendment under 37 C.F.R. § 1.116 be entered by the Examiner, placing claims 1-64, 66-68, and 75-80 in condition for allowance. Applicants submit that the entry of this Amendment would place the application in better form for appeal, should the Examiner dispute the patentability of the pending claims.

If the Examiner believes that the application is not now in condition for allowance, Applicants respectfully request that the Examiner contact the undersigned to discuss any outstanding issues.

To the extent necessary, a petition for an extension of time under 37 C.F.R. § 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account No. 13-2491 and please credit any excess fees to such deposit account.

Respectfully submitted,

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